

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GREAT AMERICAN E & S INSURANCE
COMPANY,

Plaintiff,

v.

HOUSTON CASUALTY COMPANY;
GORDON REES SCULLY MANSUKHANI,
LLP; SINARS SLOWIKOWSKI
TOMASAKA LLC; J. SCOTT WOOD; and
CHRISTOPHER FURMAN,

Defendants.

C23-1695 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff Great American E & S Insurance Company's motion, docket no. 33, for attorney's fees and costs, is DENIED. The Court notes that the remand of this matter resulted in large part from the Court's sua sponte observation that at least two of the defendants are citizens of Washington, rendering the case unremovable. See Minute Order (docket no. 5). In addition, for the same reason that the Court could not rule in defendants' favor on the merits of their fraudulent-joinder theory for removing this action, see Minute Order at ¶ 1(d) (docket no. 29), the Court cannot conclude that the removal was objectively unreasonable. See Martin v. Franklin Cap. Corp., 546 US. 132, 141 (2005) ("Absent unusual circumstances, courts may award attorney's fees under § 1447(c) only where the removing party lacked an objectively reasonable basis for seeking removal.").

